

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

CASE NO. 23-10633

CARMINA R. COMPARELLI, an individual

Appellant,

v.

REPÚBLICA BOLIVARIANA DE VENEZUELA, a sovereign nation, and

PETROQUÍMICA DE VENEZUELA, S.A.,

an agency or instrumentality of the Bolivarian Republic of Venezuela, and

INTERNATIONAL PETROCHEMICAL SALES, LTD., a British Virgin

Islands corporation,

Appellees.

**On Appeal from the United States District Court
for the Southern District of Florida, Case No. 1:14-cv-24414-KMW**

**APPELLANT'S MOTION TO
EXCEED PAGE LIMITATIONS**

Rodrigo S. Da Silva, Esq.
LAW OFFICES OF RODRIGO S. DA SILVA, PA
777 Arthur Godfrey Road, Suite 402
Miami Beach, Florida 33140
Telephone: (305) 615-1434
Fax: (305) 615-1435

CERTIFICATE OF INTERESTED PERSONS

Pursuant to 11th Cir. R. 26.1 and 11th Cir. R. 16.1-1, Appellant Carmina R. Comparelli, through undersigned counsel, file this Certificate of Interested Persons and Corporate Disclosure Statement, as follows:

1. Bellorin Gonzalez, Jesus Eduardo – Single Administrator of Petroquímica de Venezuela, S.A. (“Pequiven”).
2. Bianchi, Jaime – Counsel for Appellee Pequiven.
3. Blasi, Fernando – Member of CAPA, as defined below.
4. Comparelli, Carmina R. – Appellant-Plaintiff.
5. Council for the Management and Protection of Assets of the Republic of Venezuela (Consejo de Administración y Protección de Activos de la República de Venezuela) (“CAPA”).
6. Da Silva, Rodrigo Sebastián – Counsel for Appellant.
7. DeLelle, Claire – Counsel for Appellee Pequiven.
8. Goicoechea, Yon – Member of CAPA.
9. Grossbaum, Daniel – Counsel for Appellee Pequiven.
10. International Petrochemical Sales, Ltd. – Appellee-Defendant.
11. Law Offices of Rodrigo S. Da Silva, P.A. – Counsel for Appellant.
12. Marcano, Gustavo – Coordinator of CAPA.
13. McAliley, Chris M. – United States Magistrate Judge.

14. Millan, Carlos – Member of CAPA.
15. Petroquímica de Venezuela, S.A. – Appellee-Defendant.
16. República Bolivariana de Venezuela, Appellee-Defendant.
17. Sanchez, Eduardo I. – United States Magistrate Judge.
18. Uzcategui, Rene – Member of CAPA.
19. White & Case LLP – Counsel Law Firm for Appellee.
20. Williams, Kathleen M. - United States District Judge.

CORPORATE DISCLOSURE STATEMENT

Appellant/Plaintiff is an individual, and therefore not a subsidiary or affiliate of a publicly owned corporation. No publicly owned corporation, not a party to the litigation, has a financial interest in the outcome of this case.

APPELLANT'S MOTION TO EXCEED PAGE LIMITATION

Pursuant to Federal Rule of Appellate Procedure 32 and Eleventh Circuit Local Rule 32-4, Appellant Carmina R. Comparelli hereby request permission to file an opening brief containing a maximum of 16,500 words and in support thereof Appellant states as follows:

1. Appellant's opening brief is due on July 5, 2023.
2. Pursuant to 11th Cir. R. 32-4, this Court has the authority to grant leave to file briefs that exceed the length set forth in Federal Rule of Appellate Procedure 32(a)(7) (which currently sets a word limitation of 13,000 words).
3. This case involves numerous complex and significant legal issues including matters of first impression in this Circuit such as the application of the exception to sovereign immunity; the application of the federal common law sovereign immunity of former foreign government officials; whether Appellant carried her initial burden of proof, and Appellees the ultimate burden of persuasion, as to whether the expropriation exception of the Foreign Sovereign Immunities Act applies in this case.
4. This case also will require this Court to engage in a *de novo* review of documentary and testimonial evidence obtained during extensive jurisdictional discovery whose relevance must be explained in detail and such evidentiary record is voluminous and wide ranging.

5. This appeal involves a final order dismissing the underlying action with prejudice, but it also seeks review of three (3) discovery orders concerning the jurisdictional discovery that this Court had already determined it would be appropriate in this action.

6. In order to adequately present the factual and legal issues that should be reviewed by this Court, Appellant needs the additional 3,500-word limitation to file her opening brief.

WHEREFORE, Appellant Carmina R. Comparelli respectfully request that this Honorable Court grant this motion and grant Appellant leave to file an opening brief with a page limitation of 16,500 words excluding the sections of the brief that are not subject to a page limitation.

DATE: June 24, 2023.

Respectfully submitted,

LAW OFFICES OF RODRIGO S. DA SILVA, P.A.
777 Arthur Godfrey Road, Suite 402
Miami Beach, Florida 33140
E-mail: rodrigo@rdasilvalaw.com
Telephone: (305) 615-1434
Fax: (305) 615-1435

By: /s/ Rodrigo S. Da Silva
RODRIGO S. DA SILVA, ESQ.
Florida Bar No. 0088600
Counsel for Appellant, *Carmina R. Comparelli*

**CERTIFICATE OF COMPLIANCE WITH TYPEFACE,
TYPE-STYLE, AND WORD LIMIT REQUIREMENTS**

This motion complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-style requirements of Federal Rule of Appellate Procedure 32(a)(6), because this document has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Times New Roman font. This document complies with word limit of Federal Rule of Appellate Procedure 27(d)(2)(a) because, excluding the parts of the document exempted by Federal Rule of Appellate Procedure 32(f), this document contains 317 words.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 27, 2023, I electronically filed the foregoing document with the Clerk of the Court via CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

By: /s/ Rodrigo S. Da Silva
Rodrigo S. Da Silva, Esq.